

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHINA ENERGY CORPORATION,

Plaintiff,

v.

ALAN HILL, et al.,

Defendants,

ELENA SAMMONS AND MICHAEL
SAMMONS,

Third-Party Plaintiffs,

v.

CEDE & CO., THE DEPOSITORY
TRUST COMPANY, AND COR
CLEARING

Third-Party Defendants.

Case No. 3:13-cv-562-MMD-VPC

ORDER


(Motion to Correct Order filed June 13,
2014 And for Leave to File Sur-Reply – dkt.
no. 227)

Before the Court is Third-Party Plaintiffs' Motion to Correct Order filed June 13, 2014, And for Leave to File Sur-Reply (dkt. no. 227). Third-Party Plaintiffs correctly pointed out an error in the Court's Order (dkt. no. 226) denying a Motion to Dismiss And/Or to Strike Third-Party Complaint for Failure to Comply with Federal Rule of Civil Procedure 14(a) filed by Third-Party Defendant COR Clearing, LLC ("COR") on February 24, 2014 (dkt. no. 161). In the Order, the Court incorrectly stated that COR was the only Third-Party Defendant to file such a motion. (Dkt. no. 226 at 2.) However, Third-Party Defendants Cede & Co. ("Cede") and The Depository Trust Company ("DTC") had filed a Motion to Dismiss And/Or Strike on February 20, 2014 (dkt. no. 152) ("Motion to Dismiss"). Because Third-Party Plaintiffs correctly pointed out this error, their Motion to

1 Correct is granted. The Court will issue a separate order addressing Cede and DTC's
2 Motion to Dismiss.

3 Third-Party Plaintiffs also seek leave to file a Sur-Reply Brief regarding the Motion
4 to Dismiss. (Dkt. no. 227 at 2.) This Motion to Dismiss has been fully briefed and the
5 Court finds that no additional briefing is needed. (See Dkt. nos. 152, 171, 172, 200.)
6 Third-Party Plaintiffs have not shown good cause for additional briefing. Their Motion for
7 Leave to File a Sur-Reply is therefore denied.

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9 ENTERED THIS 18th day of June 2014.

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13 MIRANDA M. DU
14 UNITED STATES DISTRICT JUDGE
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